G. R. S. IX-5]

Previous references.

File No. 36-94

191 .

(Mowgrai)

Serial Nos.

Later references.

I

SE 8-29-1-7

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

papers re. the Akal Shakhadri's at Chandrapatna

V. Bhalaffa
Accordes
3.12.1919.

W D 1250—GPB—30,000 - 28-1-19

MUZRAI SECRETARIAT.

OFFICE NOTE.

36-94

SUBJECT.

Allowance of Rs 5-8-0 enjoyed by one Gous Sha Khadri from the Akkhal Sha Khadri Darga at Channapatna

From

The Deputy Commissioner, Bangalore District

Letter No. 49 Dated 17th August 1906

Government in their Proceedings No 3886 8 / Muz. 36 94 of 16th June 1904 passed orders on the mismanagement of the affairs of the Akkhal Sha Khadri Darga at Channapatna In the said Proceedings, the allowance of Rs 3-10-8 enjoyed by one Pacha Saib and his wife Surfa Bibi was sanctioned to the Petitioner Syed Bowan Sha Khadri as he was related to them. In para 3 of the above Proceedings, a sum of Rs 12-13-0 was brought under savings owing to the absence of the claimants thereto. Out of the amount,

Gous Sha Khadri 5-8-0.
Hazarambi - 2-11-0.
Hazarath Pacha - 4-10-0
Rs. 12-13-0

File No. of Muzrai Secretariat.

Sum of Rs 5/- was sanctioned tentatively for a period of one year for the establishment of a Mohomodan religious School in the Darga and the Deputy Commissioner was requested to submit a report as to the working of the School after this period.

Syed Burian Sha Khadri petitioned this Office praying that the allowance of Rs 5-8-0 enjoyed by his grandfather Gous Sha Khadri from the Darga may be continued to him

No 2670 Dt 17th January
S
Rept to Sy[illegible] Venkatanarayana [illegible]

The Deputy Commissioner who was requested to report on the above petition, states that the petitioner Syed Burian Sha Khadri claims the allowance of Rs 5-8-0 enjoyed by Gous Sha Khadri which is now under savings, on the ground that his grandfather Pacha Saib and Gous Sha Khadri are brothers, that the said Gous Sha Khadri died leaving no issue, and that the Amildar reports to the truth of the petitioners relationship to Gous Sha Khadri. He further states that ~~but~~ it is not clear why the petitioner did not put forward his claims at the time, the whole affair of the Darga was enquired into by Mr Ahmed Alli, the then Assistant Comr, upon whose mem- [illegible]

No 2961 Dt 15th February
T

Muzrai Secretariat.	File No. of 190
	Government order was based and that the petitioner explains that he could not claim this allowance before as his own case was under discussion
	From the statement of the members of the Darga, it is observed that Pacha Khadri and Gous Sha Khadri are [illegible]
A (Retd. by Comm. with Vernacular [illegible])	From the Mahazar obtained by the Shekdar of the Chennapatna Kasaba it appears that there was a dispute between the wife of Gouse Sha Khadri's brother and the petitioner and that Mr Ludlow passed an order on the 29th September 1876 referring the parties to civil courts to establish their relationship. It is further stated in the

File No. of 190 | Muzrai Secretariat.

Mahazar that the allegation of the petitioner that he is the grandson of the late Gouse Sha Khadri cannot be believed

In these circumstances may the petitioner be informed by means of an Endorsement that he must establish his relationship in a competent Court, before he can claim an allowance of the deceased Gouse Sha Khadri.

131 Sd. to the 2nd Councillor / [signature] 25/8/06

462/278 When did Gouse Sha Khadri die or cease to draw the allowance The Petr's silence before Mr Ahmed Ali is significant Even if

Muzrai Secretariat. File No. of 190

Petr is the grand nephew of Gouse Sha Khadri it is a question whether he is entitled to claim a the allowance which has lapsed. He is already in receipt of his grand father's allowance

[illegible]
27/8/06

Recd
27-8-06 Draft accdg [illegible]
30/8/06

Dpt. Subd
5-9-06

131

Subd to the 2d Councillor with a draft for appl. [illegible] 5/9/06

506
5.9.06

passed
[illegible]
5/9/06

Issue the draft
[illegible] 5/9/06

File No.	of 190	Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

Note Continued.

The draft passed by the 2nd Councillor was accordingly issued. Syed Buran Sha Khadri of Timmasandra has memorialized H. H. the Maharaja for a review of the Government Order on the ground that no escheat can take a legal effect unless the Government had satisfied itself that there were no legal heirs, on due enquiry, to the said Gouse Sha Khadri.

The memorial has been referred for disposal to this Office.

429 Submitted to the 2d Cr for orders

22/4/07

Ananta Saum Rao
23/4/07

The memorial may be now considered on its merits by the Muzrai Secretary

27/4/07 [illegible]

File No. of 190 | Muzrai Secretariat.

Refer the case to the Govt Advocate for favour of his opinion.

[illegible] 11/6/07 [illegible] 11 6 07

Issue the draft put up [illegible] 12/6/07

Note contd:

The Govt Advocate who was consulted on the subject reports that as the money grant distributed among the descendants of Akkhal Sha Khadri is a hereditary one, according to Mahomedan Law, a member of any one branch of the family of the original founder becomes the heir & that therefore the stipend cannot escheat or lapse to Govt, as the Petr Syed Buran Sha Khadri is the grandson of the full brother of Gows Sha Khadri. He also states that although the claim is barred by the Law of Limitation, it is open to Govt

(x. Letter No. 2 of [illegible] 1907 [illegible])

Muzrai Secretariat. | File No. of 190

to condone the delay & make a free grant of the stipend to the Petr.

Muzrai Secretary's remarks:—

For the reasons given by the Govt. Advocate, the stipend of Rs 5-8-0 enjoyed by Gows Sha Khadri (deceased) may it is submitted be continued to the Petr. Syed Busan Sha Khadri - The result will then be that the Petr. will have two stipends - one of Rs 3-10-8 formerly held by his grandmother Surfa Bibi which was sanctioned to him in Govt. Pra No. 3886-8 dy 16th June 1904 - Para 2, and also the stipend of Rs 5-8-0 held formerly by Gows Sha Khadri, who was the brother of the Petr's grandfather Pacha Saheb. Another result will be that the savings of Rs 12-13-0 shewn in para 3 of the Pro: above refd. to will

File No. of 190 | Muzrai Secretariat.

be reduced by Rs 5-8-0.

Submitted to the II Councillor } [signature] 4.8.1907

121/6.8.07

How came the saving of Rs 12.13.0 if what the Govt advocate says is correct? The amount shd have been distributed among the remaining stipendiaries according to him.

Is it not reasonable to ask the Petr to elect to receive either of the stipends if it is decided to grant him the stipend of Rs 5787

I am not sure if the Govt advocate's opinion is quite correct then there is the question of limitation. Why shd a claim be revived after 30 years for the mere asking? [initials] 6/8/07 [initials] 6/8/07

Muz 8A]

Muzrai Secretariat. | File No. of 190

Muzrai Secretary's Remarks

I had a talk with the Government Advocate on the subject. He said that if the man went to court he would not succeed because his claim was barred by limitation, but that as it seemed to be the policy of the Government not to strictly ~~to~~ enforce the law of limitation in such cases, the Government might if they so pleased, continue the stipend to the petitioner It does not seem likely that the Memorialist would accept one or other of the two stipends. As in his petition which appears

File No. of 190 | Muzrai Secretariat.

to have been prepared under legal advice, he wants both as being the legal heir and claimant. As regards the question of limitation it may be remarked that such a question was not raised in regard to the several claims settled by Mr Ahmed Ali and approved by Government. Next as regards the Savings, I beg to state that an other person named Pacha Sahib has been urging for the payment of one of the other allowances which were held to have lapsed, and the matter is under correspondence with the Dy Commissioner.

Orders are Solicited.

[illegible] 2350

[illegible]

3rd December 1907

Muzrai Secretariat. | File No. of 190

391
6.12.07

Please send for the man & ask him about it. If he knows the legal aspect of it, he will probably elect to receive the larger stipend. After all I am not sure that we are bound to recognize his claim after this long interval

[illegible]
6/12/07

Send for the man
[illegible]
6/12/07

Submitted:—

Notices were issued. The man has come today. He deposes that Gows Shakhadri is his grand-father, that his allowance of Rs 5/8/- was being drawn by the Manager of the Darga Syed Sultan ~~Sha~~ Mohidin Shakhadri & utilized by him.

that the manager was suspended in the year ~~1890~~ 1900 & that since then the allowance is being saved. He says that he represented his claim before Mr Ahmed Ali, but that, that Officer said that he might take the ~~S~~ all^ce of Surfa Bibi first & that the all^ce now in question would be given to him later on. That as he got afterwards only the allowance of 3-10-8 of Surfa Bibi, he began to pet^n praying for the grant of the other allowance also.

As regards the question of limitation he states that for 23 years, his uncle — the manager — was drawing & utilizing the allowance & that since 1900 he has been petitioning & that therefore he has not slept over the matter.

Muzrai Secretariat. | File No. of 190

Next as regards his establishing his claim in Courts, he states that this is not a dispute between his brothers, but that as the allowance is one granted under the Sanad of the late Maharaja, it is the Govt. that have to decide & grant his claim. As regards the question of his accepting one or the other of the two stipends, he states that the one is his grandfather's & that the other is his grandmother's, both of which he is the legal claimant & that therefore both the allces might be kindly sanctioned to him. He also states that during his minority his uncle was misappropriating the allces now claimed & that he began to urge it after he became aware

File No. of 190 | Muzrai Secretariat.

of his title to the allowance.

The Petr has come and has given a statement before me which is herewith subd. The man is not willing to give up either one or the other of the allowances.

[illegible]
20/12/07

Subd to the 2d Cr

I see no reason to modify the order already passed in the case. Petition may be rejected. Petr. did not present his claim before Mr Ahmed Ali altho he had every opportunity to do so

[illegible]
20/12/07

Impose Petr in English accdy. Sending copy to Dy Comr [illegible]
20/12/07

Dft. Submtd.
[illegible] 20/12/07.

Muzrai Secretariat. | File No. . of 190

note contd :—

The orders recorded on page 15 of this note were communicated to the Petr. in this Office Endt. No. 2925 dy 21st Decr. 1907

The Petr. has memorialized H.H. the Maharaja praying that the allce of Rs 5-8-0 might also be continued to him. The grounds urged by him and the reasons under which his claim was rejected are ~~[illegible]~~ already enumerated in the previous parts of this note.

The memorial has been refd. to this department for Submission of the papers in the case.

275

Submitted to the Dewan thro' the 2nd Councillor } [illegible]
20/1/1908

File No.	of 190	Muzrai Secretariat.

428
21.1.08

Strictly speaking the man appears to be entitled to both the allowances though he did not present his claim for Rs 5/8. before Mr Ahmed Ali who held a general enquiry into all claims. He probably waited until his claim for Rs 3/0/8 was admitted and then brought forward the present claim

[illegible]
21/1/08

7726
21.1.08

[illegible] 21/1/08

Submitted to His Highness.

As called for in the Private Secretary's memo No.1034 dated 5th January 1908, I submit herewith the file of papers connected with the memorial of Syed Buran Sha Khadri of Thimmasandra in the Kankanhalli Taluk praying for the continuance to him of the allowance of Rs.5/8/- per mensem enjoyed by his grand father, Ghouse Sha Khadri, from the Akhal Sha Khadri Durga at Chennapatna.

The claim has been rejected by Government in the Muzrai Department in order No.2925 dated 21st December 1907.

29/1/1908

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Memorial of Syed Buran Sha Khadri of Timmasandra in the Kankanhalli Taluk, praying for the continuance to him of the allowance of R5-8-0 per mensem enjoyed by his grand father, Ghos Shah Khadri from the Akhal Shah Khadri Darga at Chennapatna

Order.

N. 5 C

536
1-2-08

I am very doubtful as to the correctness of the decision in the Muzrai Dept, and I do not understand on what principle the Petitioner was asked to elect between the two pensions. I think that the allowance shd be continued, but, in view of the petitioner's failure to bring forward his claim in due time, without retrospective effect.

KRW
29/1/08

Subd to the 2d Councillor for perusal
1/2/08

a draft Order
31/1/1908

KRW
1/2/08

2959 Ex 1 & 2960
Dt 18/2/05

MYSORE ~~DEWAN'S OFFICE~~ Government,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petition No. 2671 dated 17.1.05 received at this ~~Dewan's~~ Office from Burhan Sha Khadri of Timmasandra in Kankanhalli Taluk praying that the arrears of allowance due to Surfa Bibi for the last seven years and a half from ~~is forwarded, together with its enclosures, to the~~ Akhalsha Khadri Makkan at Channapatna may be paid, is forwarded to the Deputy Commissioner Bangalore District for favor of enquiry and report

By Order,

Dft. [signature] 11/2/05

BANGALORE, 1 1905

~~Deputy~~ Secretary,
Muzrai Department.

Endt. to the petitioner [signature]
[signature]
2/2/05

No. 2961 Encl. & 2962
D/15-2-05

MYSORE ~~DEWAN'S OFFICE,~~ Govt.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petition No. 2670 dated 17.1.05 received at this ~~Dewan's~~ Office from Burhan Sha-Khadri of Timmasandra in Kankanhalli Taluk praying that the allowance enjoyed by his grandfather Gorose Sha Khadri of Channapatam from Akhalsha Khadri Makkan of the said place ~~is forwarded, together with its enclosures, to the~~ may be ordered to be paid to him ~~as he is the only heir as alleged in the petition~~ is forwarded to the Deputy Commissioner, Bangalore District for favor of ~~early~~ enquiry and report.

By Order,

Dft. [signature] 11/2/05

BANGALORE, —1—1905

~~Deputy~~ Secretary, Muzrai Department.

Endt. to the petitioner [signature]

[signature] 2/2/05

No 3990 Dt 27.4.05 Ex 1/2
" 3991 Dt 27.4.05

MYSORE DEWAN'S OFFICE,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petitions No 3726 & 3708 dated 7-4-05 & 6-4-05 received at the ~~Dewan's~~ Office from Syed Buran Sha Khadri residing at Timmasandra, Kankanhalli taluk praying for the disbursement of certain arrears of allowance due to him,

is forwarded, ~~together with its enclosures,~~ to the Dy. Commr, Bangalore Distt, in Contn of this office no. 2961 Dt 15th Feby 1905, ~~for the submission of the~~ with a request that the report, already called for, ~~as the allegations contained in the petn~~ be sent early

By Order,

WFD

22/4/05

BANGALORE,

189 .

Muzrai Secretary

20/4/05

Mdt to the petn

No. 913 Ex/2 2 Dfts
- 9144 D/ 18.8.05

GOVT. OF H. H. THE MAHARAJA
OF MYSORE,

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petitions No. 334 & 335

dated 20.7.05 received at this Office from Syed Buran Sha Khadri residing at Timmasanora, Kankanhalli Taluk, praying for the disbursement of certain arrears of allowance due to him from the Akhal Sha Khadri Darga Chennapatna

are is forwarded, together with its enclosures, to the Dy. Commissioner of the Bangalore District in continuation of the marginally noted numbers with a request that the report already called for may be submitted without further delay.

1) No. 2961 D/15.2.05.

2) No. 3990 D/27.4.05

By Order,

Dt.) 11/8/05

BANGALORE, 19 .

Secretary,
Muzrai Department.

Encl. to Petn.
10/8/05

Muz. 21]

ನಂ. 914 Dt 18.8.05

ಮೈಸೂರು ಶ್ರೀಮನ್ ಮಹಾರಾಜರವರ ಗವರ್ನಮೆಂಟ್ ಮುಜರಾಯಿ ಇಲಾಖೆಯಿಂದಾ

[illegible]

ನೀವು ಹುಜೂರಿಗ ಜಾಹಿರ್ಮಾಡಿಕೊಂಡ [illegible] ಮೂಹೆ 20 ನೇ

ಮರ್ಕುಂ 334 & 335 ನೇ ನಂಬರ್ ಅರ್ಜಿ ಪರಾಂಬರಿಸಿ ~~ಆಯಿತು.~~ [illegible]

[illegible]

[illegible]

[illegible]

Beyond [illegible]

[illegible] 1/8/05

Secretary.

[illegible]

10/8/05

Ana. 972
Recd
18/8/06
Refer please

1906-7

From
The Dy. Commissioner
Bangalore Dist.

To
The Secy. to the Govt. of Mysore
Mutrai Deptt.

Dated 17
Despatched August 1906.
Received.
General No.
M. S. No. 49
Enclosure No. 1 file

His No. 2961 of 15-2-05

Reports on the petition of Burhansha Khadri of Timmasandra, re the payment of the allowance due for Akhalsha Khadri makan, Channapatna Talull. enjoyed by his grandfather.

Bangalore District
Deputy Commissioner's Office
Dated 17th August 1906.

M. S. 49
E. Hill.

From.
H. H. Sparkes Esquire,
Deputy Commissioner,
Bangalore District

To.
T. Anantasami Rao Esquire, B.A.
Secretary to the Government of Mysore,
Muzrai Department.

Sir,

With reference to your official Memo, noted in the margin, forwarding for report petitions from Buransha Khadri, one of the hissedars of the Akalsha Khadri Makhan, Chennapatna Taluk, I have the honor to state that the petitioner is the recipient of a sum of Rs 3-10-8 as ordered by Government in their Proceedings No. 3886-8 / Muz. 736-96 dated 16th June 1904 on the ground that he is the legal grandson of Pachha Tahile by his 1st wife who had been getting a stipend of Rs 5-8-0, the balance of the amount having been ordered to be paid

No. 2961 dated 17th January 1906
No. 913 dated 18th August 1905
No. 2959 dated 18th February 1905
No. 3990 dated 30th April 1905

paid to the grand-son of the same by the 2nd wife

2. He now lays claim for the pension of Rs 5-8-0 formerly enjoyed by Ghausa Khadri and now being saved to the credit of the Makam funds on the authority of the Government order referred to above. The grounds of his claim are that his grand-father Pachha Sahib and the said Ghausa Khadri are brothers and that on the decease of Ghausa Khadri without leaving any issue, he is the nearest legal heir. The Amildar also reports to the truth of the relationship.

3. But it is not clear why this man did not put forward his claim at the time the whole affair was enquired into by Mr Ahmed Alli, upon whose memo the Government order is based. The petitioner explains that he could not claim this before as his own grand-fathers case was still under discussion.

4. The petitions received with

the

the above, and the Vernacular papers ending with the Assistant Commissioner's Yadi No. 784 dated 15th December 1905 are submitted herewith for reference.

I have the honor to be

Sir,

Your most obedient Servant,

[signature]

Deputy Commissioner
Bangalore District

1111

Muz. 3] 17.8.06

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No.

The accompanying Petition No. 626

dated 30th July 06 received at this

Office from Syed Baran Sha Khadri,

residing at Thimmasandra in the Kankanhalli Tk, praying for the early disbursement of certain arrears of allowance due to him from the Makkan at Chennapatna

is forwarded, together with its

enclosures, to the Dy Commissioner

of the Bangalore District in Continuation of the marginally noted Communications with a request that the report called for, may be submitted ~~to the Office~~ without further delay.

No. 3990 D/27.4.05.
2961 D/15.2.05

By Order,

[signature] 16/8/06

BANGALORE,
1112 19 .

Secretary,
Muzrai Department.

Encl. to Petn. [signature] 15/8/06

1906-7

From

The Dy. Commissioner
Bangalore Dist.

To

The Secy. to the Govt. of Mysore
Muzrai Deptt.

Dated 29

Despatched 3 August 1906.

Received

General No

M S N 56

Enclosure No 1

His No 1111 of 17-8-06.

Invites kind attention to this Office No 49 of 17 Instt. in respect of the petition from Syed Baran Sha Khadri of Thimmasandra.

Ofcs
[illegible]
30/8/06

Bangalore District
Deputy Commissioner's Office
Bangalore Dated 29th August, 1906

M. S. 56/E.1

From

H. H. Sparkes Esquire
Deputy Commissioner
Bangalore District

To

L. Ananta Swami Row Esquire B.A.
Secretary to the Government of Mysore
Muzroi Department

Sir,

With reference to your Official memo no. 111 dated 17th instant forwarding for report petition from Buran Sha Kadri claiming certain share of allowances in the Mokkan, I have the honor to invite your attention to this office letter no. 49 dated 17th/18th August, 1906

I have the honor to be,
Sir,
Your most Obedient Servant,

H H Sparkes
Deputy Commissioner

[illegible]

[illegible]

[illegible]

[illegible] 5-8-0 [illegible]

[illegible] 23-2-05 [illegible]

[illegible] 17-7-05 [illegible]

[illegible] 30-5-06 [illegible]

[illegible] 4-5 [illegible]

[illegible] 5-8-0 [illegible]

[illegible]

30-7-06.

Muzrai.

Read –

Petn no 2670 dated 17th January 1905 from Syed Buran Sha Khadri of Jhinimasandra village in the Kankanhalli Taluk, claiming a ~~sum of~~ monthly of Rs 5-8-0 enjoyed by Gous Sha Khadri from the Akkalsha Khadri Darga at Channapatna

And

Letters nos 49 and 56 Dy 17th & 29th August 1906 from the Dy Comr of the Bangalore District reporting on the above.

———— " ————

Order thereon no

———— " ————

The Deputy Commissioner reports that Syed Buran Sha Khadri claims the monthly allowance of Rs 5-8-0 formerly enjoyed by Gous

Sha Khadri on the Ground that his Grandfather Pacha Saib and Gous Sha Khadri were ~~are~~ brothers, that the Said Gous Sha Khadri died leaving no issue, ~~and that the Petnr could~~ ~~did~~ not put forward his claims at the time, the whole affair of the Darga was enquired into by ~~Mr Ahmed Alli~~, the ~~the~~ Assistant Commissioner ~~Mr Mahammad Ali in 1903.~~

~~Under the circumstances~~ ~~the~~ The Government observe that the Petitioners' silence before Mr Ahmed Alli is significant Even if the Petnr is the Grand nephew of Gous Sha Khadri, it is a question whether he is entitled to claim the allowance which has lapsed. The Petitioner

From the Mahazar obtained by the Shakdar of the Chinnapatna Kasaba, it appears that there was a dispute between the ~~wife~~ wid Mr of Gouse Sha Khadri's brother and the petitioner in 1876, and that it was then decided by the late Mr Ludlow that the disputants should establish their relationship in a civil

is abreadz in receipt of his grandfathers allowance Therefore the petitioners prayer cannot be complied with

Secretary

To,

The Dy: Comr, Bangalore Dt

~~with~~ retg Enclosures.

Endorsement to the Petnr

2. The Government observe that Gouse Shakhadri died about 30 years ago ~~according to the petitioner's own statement~~ and that ~~his~~ the petitioner's silence

for so long a time,

and even ~~at the time~~ so recently as Feb 1903.

when the whole affairs

of the Darga were enquired

into by Mr ~~Mr~~ Ahmed Ali

Ali in 1903, is significant —

Considering this

circumstance, and also

the fact that the

allowance in question

has lapsed to ~~Govt~~ the Darga

for the past several

years, the Govt ~~are~~ see no grounds to entertain this

~~phased to reject the~~

petitioner's claim —

He will be informed

accordingly by means

of an Endorsement

(2nd cr's order)

Secretary

Mag Dept

5/9/06

5/9/06

To

The Dy Comr

5/9/06

Proceedings of the Government of [illegible] the [illegible] of [illegible]

[A]

Read:-

[illegible]etition No. [illegible] dated 17th [illegible] from [illegible] Khadri of [illegible] [illegible] the [illegible]---- [illegible]luk, [illegible] monthly [illegible] of Rs. 5-8-, [illegible] Sha Khadri from the Akkalsha Khadri [illegible] at [illegible].

And,

Letters Nos. 49 and 53 dated 17th [illegible] from the Deputy Commissioner of the [illegible] District [illegible] on the above.

Order thereon No. 1649 Dated [illegible] 12th [illegible]

The Deputy Commissioner reports that [illegible]-- [illegible] Sha Khadri claims the monthly allowance of Rs. 5-8-, formerly enjoyed by [illegible] Sha Khadri, on the ground that his grandfather [illegible] and [illegible] Sha Khadri were brothers, and that the said [illegible] Sha Khadri died leaving no issue. From the [illegible] obtained by the Shekdar of the [illegible], it appears - that there was a dispute between the widow of [illegible] Sha Khadri's brother and the petitioner in 187[illegible] and that it was then decided by the late Mr. Ludlow that the disputants should establish --- their relationship in a Civil Court.

The Government observe that Gouse Cha Khadri died --- about 30 years ago and that the petitioner's silence for so long a time, and even so recently as February 1903 when the --- whole affairs of the Darga were enquired into by Mr. Ahmed Ali ~~in 1903~~ is significant-- Considering this circumstance and also the fact that the allowance in question has lapsed to the Darga for the past several years, the Government see no grounds to entertain the petitioner's claim.

We will be informed accordingly by means of an endorsement.

DFN

The Deputy Commissioner Bangalore District returning the Enclosures.

1647 A
12.9.06

[illegible]

[illegible] -

[illegible]

[illegible] —

[illegible]

[illegible]

[illegible] 5-8-[illegible]

[illegible] 1905 [illegible] 17 [illegible] 26-10-[illegible]

[illegible]

[illegible]

[illegible] -

[illegible] 30 [illegible]

[illegible]

[illegible] 1903 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

11/9/06

Ann A

4370

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.
Mysore 21st March 1907

Refers No. 2390/1
21
22/3/07

Note Contd.
10-4-07

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, Muzroi Department, Bangalore, for disposal

No. 1246 of 06-07

By Order,

Offg. Private Secretary
to H. H. The Maharajah of Mysore.

BEFORE THE GOVERNMENT TO H.H. THE MAHARAJA OF MYSORE.

Muzari Appeal No. of 1906-07.

Syad Buran Sha Khadri resident of Timmasandra Kankanhalli Talu. -- Appellant.

The appellant most humbly and respectfully begs to appeal, for reasons stated hereunder, against the decision of the Secretary (Muzarai) refusing to continue the stipend-allowance of the original incumbent Gowsha Khadry, whose legal heir and recognised grand-nephew, the appellant claims to be.

Recd 18.3.07

1. The petitioner-appellant has been recognised as the legal grand-son of Sarfa Bibi, the widow of the late Pachasa Khadry: the late Gowsha Khadry was the elder -- brother to the said Pachasa Khadry, and on whose widow's death, her stipend has been graciously transfered to the name of the appellant. The Government Proceedings No.3886-8 Muzaria F. 36-94 dated Bangalore 16/6/04 amply bear out the above facts.

2. That the Muzarai Secretary is not justified in directing that the stipend had lapsed on the ground that this claim came too-late; for it is respectfully submitted that no escheat can take a legal effect unless the Government had satisfied itself that there were no legal heirs, on due enquiry, to the said Gowsha Khadry.

3. That the appellant having proved beyond doubt, that he is the legal heir of the deceased Gowsha Khadry he is entitled to have the allowance of Rs. 5-8-0 transfered to him with all the incidental rights and duties - ed thereto.

That wherefore he humbly prays your benign Highness be graciously moved to direct the continuence of the stipend of Rs. 5-8-0 which has been from long, enjoyed by the ancestors of the appellant & his ancestor's widow &c — بجمع سید برہان شاہ قادری

(Sd). Syed Burah Sha Khadry.

B A N G A L O R E.
Dated 13th March 1907

Muz I A]

MUZRAI SECRETARIAT.

190 --190

From

L. ANANTASAMI RAO, Esq., B.A.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Muzrai Department

To

The Government Advocate,

Bangalore.

Dated

Despatched 24.6.07

Received

General No. 6035
Muzrai F. No. 25

Enclosure No one Filed

Sir,

I ~~have the honor~~ am directed to forward herewith the file of correspondence ending with Govt Pro No 1646 D/12th September 1906, ~~passing~~ regarding ~~a~~ ~~[illegible]~~ the allce of Rs 5-8-0 engaged by one Gonesha Khadri from the AKKalesha Khadri Darga at Channapatna

I B—3,000 -21 7 06

Muz. I A]

MUZRAI SECRETARIAT.

190 —190

From

L. ANANTASAMI RAO, Esq., B.A.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Muzrai Department.

To

The Government Advocate

Bangalore

Dated

Despatched 24.6.07

Received

General No. 6035

Muzrai F. No. 35 24

Enclosure No. One Pile

Sir,

I ~~have the honor~~ am directed to forward herewith the file of correspondence ending with Govt Pro: No 1646 D/12th September 1906 ~~passing~~ regarding ~~orders re~~ the alice of Rs. 5-8-0 enjoyed by one Gonesha Khadri from the Akkalesha Khadri Darga at Channapatna,

T I B—3,000 -21-7 06

which is now claimed by Syed Bureau Sha Khadri, as well

~~together with~~ the memorial addressed to H H by the said Syed Bureau Sha Kadri ~~on the Subject and the Office note~~ and to request the favour of your opinion in the matter. The Office note on the subject is also herewith forwarded in original —

I have &c

[signature]

Secretary

DFB

[signature]
12/6/07

The whole file should be kindly returned with the reply —

[signature]
12/6/07

Office of the Government Advocate in Mysore.

Bangalore, dated, 1st July 1907.

10

From,

The Government Advocate in Mysore,

Bangalore.

To,

The Secretary to the Government of H.H. the Maharaja of Mysore, Muzrai Department.

Sir,

In reply to your letter No.6035 dated 24th June 1907, I have the honour to state as follows:-

The money grant distributed among the descendents of Akkalsha Khadri, the founder of the Darga, seems to be a heriditary one. On the death of any one of these 37 or 38 stipendiaries, representing the different branches of the family of the founder, without issue, the members of the other branches become his heirs (according to Mahomedan - law) the nearer among them excluding the more remote. So the stipend of any one cannot be said to escheat or lapse to Government for want of heirs, unless all the branches become extinct, which is not the case in the present --- instance. The petitioner has been found to be the grand-son of the full brother of the deceased stipendiary, Gous-sha-khadri.

2. The only question that now remains for consideration is, whether the claimant has lost his right by reason of his laches in not claiming the stipend till nearly 30 years after the death of the last holder thereof. The claim is certainly barred by the Law of Limitation and the appli-cant cannot enforce the same in a Civil Court. But it -- seems to me that the policy of Government is not to apply strictly, the principles of the Law of Limitation to such cases when there are any extinuating circumstances. It -

is

is perfectly open to Government, if it so pleases - to condone the delay and make a free grant of the - stipend to the petitioner.

The file of papers received with the above is herewith returned.

I have the honour to remain

Sir,

Your most obedient servant.

S. Narayana Rao

Government Advocate.

Submitted in Continuation

12/10/07.

Murzai

MYSORE GOVERNMENT
1697
'A' SECRETARIAT

K. P. Puttanna Chetty Esq.
Member of council to His Highness
the Maharaja of Mysore,

Syed Buran shakadri resident of Timmasandra
Thankanally Taluk Bangalore District
appellant

Most humbly and respectfully begs to appeal for reasons stated here under, against the decision to the Secretary (Murzai) refusing to continue the stipend allowance of the original in enjoyment Gowsha Khadry, whose legal heir and recognised grand-nephew the appellant claims to be

1. The petitioner-appellant has been recognised as the legal grandson of Sur forbe the widow of the late Pachsa Khadri; the late Gowsha Khadry was the Elder brother to the said Pachasha Khadry and on whose widow's death, her stipend has been graciously transf to the name of the appellant. The Govt, Pro No. 3886-Murz. F. 36-94 dated Bangalore 16.6.04 amply bear out the above facts.

2. That the Murzai Secretary is not justified directing that the stipend had lapsed

on the Grand that this claim came too late; for it is respectfully submitted that no Escheat can take a legse Effect under the Government had satisfied itself that there were no legal heirs, on one enquiry, to the Said Gowsha Khadry.

3. That the appellant having proved biyend dinpt that he is the legal heir of the deceased Gowsha Khadry he is entitled to have the allowance of Rs. 5-8-0 transferred to him with all the incidental rights & duties attached therefo.

4. That wherefore he humbly Mays your benigll Highness be grociously Moved to direct the confirmance of the Stipend of Rs. 5/8 which has been from only enjoyed by the ancestors of the appellant.

10th, October 907.
Mysore

[illegible]

నెం.2774 తి/12.12.07

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Secretary/Municipal
Department
7/12/07

మృగూరు శ్రీమన్ మహారాజ
వరగవర్ణమంత్రములు
గీకారతేరిగాండ్ లవరగవా
శ్రీమ
కాలీకు 20 కి తిగాలన్ 1907

కాన కాన డ్కికాల్లాకు కిమ్మ సంద్ర
దల్లలు రువ స్వేయదలు మాన్ మాబాద్రి
లరశిద శ్రీవీకు.

ఇన్నవల్లుగు అమిల మాబాద్రి లువరద
గాన్ దిందకన్నకందేలు ఇక్కడ స్వ మాబా
ద్రిలువరిగేమాండీ శ్రీ 5-8 గల్లుక్త లక్తా
లుమంగల గన్నలుంచినమ్మకీలుచరు
గుల్తాన్ స్వేయదమాండదిన్ మాబాద్రిలు
వరు. శ్రామాంతి మందలకాందలు వేగారుకోం
రులాంకీ పువయాగిని కోళుక్తా లక్షాలు
అవరిగే 1900 కీలు గవిలుల గన్నేంతో

లు చేసి. తెలంగాణలో [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 5 [illegible]

[illegible]

[illegible] 3-10-8 [illegible]

5-8 [illegible]

[illegible]

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23 [illegible] 1900 [illegible]

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[illegible]

Signed by Syed Baran Sha Khadri

Before me

[illegible]

20/12/04

[illegible]

21.12. 07

Dft. as per orders

No. 2925 D/21.12.07.
Enc. one.

Endorsement granted to Syed Buran Sha Khadri of Yimmasandra village in the Kankanhally Taluk with ref. to his memorial regd. no. $\frac{1246}{4370}$ dated 22d march 1907 addressed to H. H. the maharaja praying for a re-consideration of the orders of Govt. rejecting his claim for the monthly allowance of Rs 5-8-0, enjoyed by Gous Sha Khadri from the Akhal Sha Khadri Darga at Chennapatna.

In reply, the memorialist is informed that as he did not present his claim before Mr. Ahamed Ali although he

every opportunity

do so, Govt now

no reason to modify

order already passed

and communicated to him in this Office Endt. No 1647 dy 12th Septr 1906

the Case. His memorial

accordingly rejected.

By order

(Cr's order) 21/12/06

Secretary.

No. 8991

Copy to the Dy

Commr., Bangalore Distt

in contn. of Govt. Pro.

no 1646 dy 12th September 1906

By order,

Dy Secretary

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 1634/2

Madras 6th January 1908.

MYSORE GOVERNMENT
MUZRAI SECRETARIAT

Please ret.
Issue the file on the subject soon.
7/1/08.

Petition as shown below, to His Highness the Maharaja, is transferred to the Secretary to the Government of His Highness the Maharaja of Mysore, Muzroi Department, Bangalore, for submission of papers in the case.

No. 837 of 07-08.

By Order,

I. C. S.
Private Secretary
to H. H. The Maharajah of Mysore.

To

His Highness

Sri Krishna Rajendra Wodyar Bahadur
G.C.S.I

The Maharaja of Mysore

837

May it please your enlightened Royal Highness

Syed Buran Shah Khadri of Zimmasandra village in the Kankanhulli Taluk, a loyal and humble subject of your Highness, most humbly and respectfully craves permission to approach your Highness with this Review Petition stating that in reply to his memorial Registered no. 1246/4370 dated 22nd march 1907 praying for a re-consideration of the orders of Govt. rejecting his claim for the monthly allowance of Rs 5/8- enjoyed by Gous Shah Khadri from the Akhal Sha Khadri Darga at Channapatna, he has been informed in his Endorsement dated the 21st Dec. 1907 by the Mowzrai Secretary and the II Councillor that he has lost the opportunity which he had had sometime back to lay his claims, and that therefore the Government now see no reason to modify the order already pas no. 1647 dated 12th Sept. 06 and that his memorial has been rejected.

Hyder Ali obtained, on payment of money from the Maharaja the Jahgir of six yielding a revenue of 600 Pagodas as shown in Copper inscription A.D. 1759, in which it has

The Petitioner, further craves for the perusal of all the Record regarding the matter from the beginning and for a final Order by your Highness for the fact whether the Petitioner is entitled to receive the allowance of Gous Sha Khadri or not. If it is ascertained that he is the only legal claimant, what objection will there be as to his receiving the two allowances, while the claims of the Petitioner are hereditary.

Considering the Honor due to the Copper inscription of Hyder Ali and the special Concession to be shown to a poor Fakir as himself, your Highness may be pleased to grant the Petitioner the allowance of his grandfather Gous Sha Khadri and save a poor family by giving them means of livelihood. Any order passed by your Highness will be considered to be genuine.

It is unnecessary to remind your Highness of the glorious virtues of your mighty ancestors, of the countless acts of love and charity which they did to their trusting children.

For to whom else are they to represent their wants! "Is it not natural to the suckling even though it be spurned by the mother in wrath not loose its hold of the foot that spurns".

May the Blessing of the Prophet be on your Highness for ever and ever. That your Highness may live long for the good of many and for the spread of truth, is the constant prayer of

[illegible]

Timmasandra
Kankan Hulle Taluq.
27th December 1907.

Muzrai

Read as ... Govt. Pro: no 1646

d/12th September 1906

2 Dr

~~declining to entertain~~ rejecting

the claim of Syed

36 - 94

Buran Sha Khadri of

Thimmasandra village

in the Kankanhalli Taluk

for a monthly allowance

of Rs 5-8-0 enjoyed

by Gous Sha Khadri

from the Akkal Sha Khadri

Darga at Channapatna-

Correspondence ending

with memorial Regd no

837 - 2761 & d/6 January

1634

1908 addressed to H H the

Maharaja by Syed Buran Sha Khadri praying for a

review of the aforesaid Govt. order

No. 4014-6 D/16.3 1908.

Order thereon &c.

~~The Governme~~

of
ni ~~are pleased to Under the~~

In modification of the order read above,
fo The Government
re are pleased to sanction
2 to the memorialist
el the payment of the
allowance of Rs 5-8-0
per mensem enjoyed by his
grand father Ghous
Sha-Khadri from the
Akhal Sha Khadri
Darga at Chennapatna
with effect from the 1st Feb. 1908
~~of this order. But~~
In view of the petitioner's
failure to bring forward
his claim in due time
retrospective effect
cannot be given to this order.

H. H. Orders

12/3/08

Secretary

The Deputy Commr., Bangalore Dt.
Comptroller, Mysore Govt.
Inam Superintendent.

2 [illegible]

No. 4017 W/16.3.08.
Ec. [illegible]

Endorsement granted to Syed Buran Sha Khadri of Thimmasandra village in the Kankanhally Taluk with reference to his memorial Reg. no 837-2761/1634 dt 6 January 1908 addressed to H H the Maharajah praying for a review of the orders of Govt. rejecting his claim for the monthly allowance of Rs 5-8-0 enjoyed by Gous Sha Khadri from the Akkal Sha Khadri Darga at Chennapatna.

In reply the memorialist

is informed that the Govt are pleased to sanction the payment to him of the ~~stipend~~ monthly allowance of Rs 5-8-0 with effect from the ~~date of this order~~ 18th Feb: 1908. On account of the petitioner's failure to bring forward his claim in due time retrospective effect cannot be given for the payment of the allowance.

By order

12/3/08

Secretary

31/3/08